



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

1595 Wynkoop Street  
Denver, CO 80202-1129  
Phone 800-227-8917  
www.epa.gov/region8

1900504 - R8 SDMS

SENT CERTIFIED MAIL

**URGENT: PLEASE READ AND RESPOND**

June 9, 2014

Ref: 8EPR-SR

Equable Investment Corporation  
1140 US Highway 287  
Broomfield, Colorado 80020

Re: 4185 Saint Paul Street

Dear Equable Investment Corporation:

By certified mail, the U.S. Environmental Protection Agency (EPA) Superfund Program is providing you, as the owner of the above referenced properties, with written notice of and an opportunity to comment on the filing of this notice.

The EPA has attempted to contact you regarding potential soil contamination. **This letter is your last opportunity to have the EPA sample yard soils at your properties and if necessary, clean up your yard soils as part of the federally funded cleanup at the Vasquez Boulevard/Interstate 70 (VB/I-70) Superfund Site.**

We explained in a previous communication that if you would not sign the consent for access, the EPA would be obliged to inform future owners and residents concerning potential environmental conditions at your property. The EPA will undertake the following measures to make sure that future residents are informed about potential contamination at your properties:

1. **Each year, the EPA will mail a letter to the owner of the property and, if it is a rental property, to the occupants.** The annual letters will explain the potential for soil contamination in the yard of each property, that the EPA has not sampled the soils on the property and what steps residents can take to protect themselves from possible exposures to this soil contamination. This action will commence later in the summer of 2014.
2. **The EPA will file and record a Notice of Potential Environmental Conditions with the Clerk and Recorder's Office of the City and County of Denver on your Properties.** The notice will address only yard soils and their status relative to sampling and cleanup. The purpose of the notice is to alert future owners of potential contamination in your yard soil. Enclosed with this letter is a copy of the notice that the EPA will file at the Clerk and Recorder's Office on your property.

The EPA's records regarding each of your properties listed above and the Site may be requested from:

U.S. Environmental Protection Agency, Region 8,  
Remedial Project Manager, Vasquez Boulevard & Interstate 70 Superfund Site,  
1595 Wynkoop Street,  
Denver, Colorado 80202.

If you believe that there is a valid reason why the EPA should not place this notice on your properties, please identify said reason in writing. This written explanation should be received no later than 10 working days from the date that you receive this letter. The EPA will evaluate the explanation in your letter and notify you of its decision regarding filing of the notice.

**To avoid having the EPA file this notice on your properties, you may complete the spaces in the consent for access including all three addresses, sign it the consent for access on the back side and return the consent for access in the envelop enclosed with this letter. A signed consent for access should be received in our office by June 23, 2014.**

If you have any questions regarding the notice or soil sampling at the above referenced properties, please contact me at (303) 312-6861 or [schmittiel.paula@epa.gov](mailto:schmittiel.paula@epa.gov). You may also contact Jennifer Chergo, the EPA Community Involvement Coordinator for the VB/I-70 Site, at (303) 312-6601 or [chergo.jennifer@epa.gov](mailto:chergo.jennifer@epa.gov). If you are submitting a written explanation concerning the justification for the notice, please send that written explanation to me, either by letter or email.

We appreciate your cooperation in this important matter of environmental protection.

Sincerely,



Paula Schmittiel  
EPA Remedial Project Manager  
U.S. Environmental Protection Agency, Region 8

Enclosures:

1. Notice of Environmental Conditions
2. EPA Consent for Access Form
3. Addressed Envelope



Printed on Recycled Paper

**When Recorded Return To:  
Remedial Project Manager, EPR-SR  
Vasquez Boulevard and Interstate 70 Superfund Site  
U.S. Environmental Protection Agency, Region 8  
1595 Wynkoop Street, Denver, CO 80202**

**NOTICE OF POTENTIAL ENVIRONMENTAL CONDITIONS**

WHEREAS, Equable Investment Corporation is the owner of record of the real property (referred to as "the Property") located at 4185 Saint Paul Street, Denver, CO 80216, and more particularly described as follows:

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WHEREAS, **For purposes of indexing in the County Clerk and Recorder's office Grantor-Grantee index only, EPA shall be considered the Grantor, and Equable Investment Corporation shall be considered the Grantee.** Nothing in this Notice shall be construed to create or transfer any right, title or interest in the Property.

WHEREAS, the Property is within the boundaries of Operable Unit 1 of the Vasquez Boulevard and Interstate 70 Superfund Site (Site), as described in the Record of Decision (ROD) signed by the United States Environmental Protection Agency (EPA) on September 25, 2003. The ROD established cleanup objectives for lead and arsenic in residential soils to protect human health and prevent unacceptable exposures to adults and children.

WHEREAS, the EPA has prepared and recorded this Notice of Potential Environmental Conditions ("Notice") to disclose specific potential environmental conditions of the Property to subsequent owners of the Property.

NOW, THEREFORE, NOTICE is hereby given that, as of the date of this Notice, the EPA has not obtained soil samples from the above described Property.

The EPA obtained soil samples from over 4000 residential properties within the Site. Of this total, over 800 properties showed levels of lead and/or arsenic contamination that could present unacceptable risk to or make the property unsafe for children or adults. The levels at which the EPA determined that lead and/or arsenic in soil present an unacceptable risk (the so-called "action levels" in the ROD) were 400 parts per million (ppm) or greater for lead and 70 ppm or greater for arsenic.

As of the date of this Notice, the owner of the Property has not consented to EPA accessing and sampling the Property. The owner of the Property has been provided written notice of and the opportunity to comment on the Notice and the filing of this Notice by certified mail.

The EPA's records regarding the Property and the Site may be requested by contacting:

[Second Page Follows]

U.S. Environmental Protection Agency, Region 8  
Superfund Remedial Program, Remedial Project Manager  
Vasquez Boulevard and Interstate 70 Superfund Site  
1595 Wynkoop Street  
Denver, Colorado 80202

The information in this Notice may represent potential environmental conditions of which a seller would have current actual knowledge and thus, should be disclosed by the seller to the buyer prior to the sale or transfer of the Property.

**United States Environmental Protection Agency**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Bill Murray, Director  
Superfund Remedial Program  
U.S. Environmental Protection Agency  
Region 8

State of Colorado     )  
                                  )     ss:  
County of Denver     )

Before me, a notary public, in and for said county and state, personally appeared Bill Murray, Director at the United States Environmental Protection Agency, who acknowledged to me that he did execute the foregoing instrument.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed my official seal  
this \_\_\_\_\_ day of \_\_\_\_\_, 2013.